

Attorney's Docket No.: 12754-109001 / 99P7613

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Singh et al.
Serial No. : 09/320,833
Filed : May 26, 1999
Title : PREFETCH STREAMING BUFFER

Art Unit : 2784
Examiner : Gautam R. Patel

Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF DAVID J. GOREN

I, DAVID J. GOREN, declare as follows:

I am a principal of the law firm of FISH & RICHARDSON P.C. and an attorney/agent of record in the above matter.

I first became aware of the abandonment of the above patent in mid-October, 2002, in a telephone conference with Examiner Patel. I received the Notice of Abandonment for this application on November 12, 2002. I submit that the accompanying petition to withdraw the Notice of Abandonment is being promptly submitted.

I never received the Office letter mailed on February 25, 2002, for which a response was required.

The first attached docketing report shows that Fish & Richardson P.C. did not receive the Office letter mailed on February 25, 2002. When Patent Office correspondence is received, it is directed to a docketing clerk. The docketing clerk accesses our computer docketing system and creates a record for the correspondence. The docketing clerk enters the title of the correspondence (in the ACTION field) and mailing date (in the BASE date field). In addition, any associated deadline is also entered (in the DUE date field). Had Fish & Richardson P.C. received the Office letter mailed on February 25, 2002, an entry having a date of 2/25/02 would appear in the BASE date field.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

March 26, 2003
Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

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The second attached docketing report shows that the Office letter mailed on February 25, 2002 was not received at the mailing address. When Patent Office correspondence is received at the mailing address, it is directed to a docketing clerk. The docketing clerk docket the correspondence on behalf of the assignee Infineon Technologies North America Corp. Had the Office letter mailed on February 25, 2002, been received an entry having a due date of 3/25/02 would appear in the Date of Deadline field.

Respectfully submitted,

Date: _____

3/26/03



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